

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE ESCOBEDO,

Plaintiff,

v.

NORTHERN VILLAGE ASSOCIATES, LP,
et al.,

Defendants.

Case No. 1:23-cv-01364-ADA-SAB

ORDER RE STIPULATION TO EXTEND
TIME FOR DEFENDANT TO RESPOND TO
COMPLAINT, ORDERING DISPOSITIONAL
DOCUMENTS

(ECF No. 6)

DEADLINE: DECEMBER 1, 2023

On October 18, 2023, the parties agreed to extend the time for Defendant, TGI Friday's, Inc. to file a responsive pleading until November 16, 2023 because counsel for Defendant, TGI Friday's, Inc. had recently been retained and the parties were working towards a potential early resolution of the matter. (ECF No. 5 at 2.)

On November 10, 2023, the parties filed a second stipulation to extend time for Defendant, TGI Friday's, Inc. to file a responsive pleading until December 18, 2023 because the parties resolved the matter by way of a settlement agreement on November 8, 2023. (ECF No. 6 at 2.) The parties represent the matter requires dismissal with prejudice "in the near future" upon receipt of the settlement payment by Plaintiff's counsel. (Id.)

The Court construes the parties' instant stipulation as a notice of settlement pursuant to Local Rule 160(a). Accordingly, rather than granting an extension of time to respond to the complaint, the Court will vacate all pending dates related to Defendant TGI Friday's, Inc. and

1 shall require Plaintiff to file dispositional documents within twenty-one (21) days, consistent
2 with the Local Rule. See L.R. 160(b) (“[T]he Court shall fix a date upon which the documents
3 disposing of the action or motion must be filed, which date shall not be more than twenty-one
4 (21) days from the date of said notification, absent good cause.”). At that point, if Plaintiff
5 requires additional time to file dispositional documents as to the Defendant, Plaintiff may request
6 an extension of the deadline upon a demonstration of specific good cause. However, in this
7 regard, the parties are advised that once the terms of a settlement agreement are finalized and the
8 settlement agreement is signed by the parties, dismissal is not dependent on performance, but
9 rather settlement of the action.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. All pending dates and matters related to Defendant TGI Friday’s, Inc. are
12 VACATED; and
- 13 2. Plaintiff shall file dispositional documents on or before **December 1, 2023**.

14
15 IT IS SO ORDERED.

16 Dated: **November 13, 2023**


UNITED STATES MAGISTRATE JUDGE